

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

CRISTOBAL and THERESA ALVAREZ, <i>et al.</i> ,	:	x
	:	Civil Action No. 2:17-cv-00414-RL-JEM
Plaintiffs,	:	Judge Rudy Lozano
v.	:	Magistrate Judge John E. Martin
ATLANTIC RICHFIELD COMPANY, <i>et al.</i> ,	:	JURY TRIAL DEMANDED
	:	
Defendants.	:	x

**PLAINTIFFS' NOTICE OF
VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

Plaintiffs Cristobal and Theresa Alvarez, Cytheria Artis, Pamela Berry, William Boleware, Earlie Braden, Annie Brooks, Devin L. and Linda Crymes, Ezell and Alice Foster, William Garcia, Carmen Garza, Harrison Gibbs, Berteresa Harris, Terrance Hill, Curtis and Nettie Hill, Sara and Mauro Jimenez, Emma Johnson, Frank Kresich, Chinita Lindsay, Lori Locklear, Maritza Lopez, William Luckett, Angela McFerrin, Margo Morris, Donald Mosley, Raymond Mosley, Sandra Muniz-Garza, Melissa Peterson, Natalie Robinson, Jose and Natalia Sanchez, Madeleine A.P. Spann, John and Delphine Sullivan, Micheal Trambles and Chanthini Fowler, Bernice Victor, Dwayne Washington, Isaac Washington, Jacqueline Washington-Brown, Sarah Willis, and Betty Zic ("Plaintiffs"), by their undersigned *pro bono* counsel, hereby voluntarily dismiss, without prejudice, their Complaint against Defendants Mining Remedial Recovery Company ("MRRC"), Arava Natural Resources Company, Inc. ("Arava"), and Mueller Industries, Inc.'s ("Mueller") (collectively, the "U.S. Smelter Affiliates") pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

Plaintiffs filed their Complaint on October 31, 2017. The matter is currently in the motion to dismiss briefing stage. Plaintiffs originally filed this lawsuit against both U.S.S. Lead Refinery, Inc. ("U.S.S. Lead") and the parent companies that own U.S.S. Lead—the U.S. Smelter Affiliates. Plaintiffs have decided to voluntarily dismiss, without prejudice, the U.S. Smelter Affiliates at this time.

WHEREFORE, Plaintiffs, by their undersigned *pro bono* counsel, hereby voluntarily dismiss, without prejudice, their Complaint against Defendants MRRC, Arava, and Mueller—the U.S. Smelter Affiliates—pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

Dated: March 9, 2018

Respectfully submitted,

CRISTOBAL and THERESA ALVAREZ,
CYTHERIA ARTIS, PAMELA BERRY,
WILLIAM BOLEWARE, EARLIE BRADEN,
ANNIE BROOKS, DEVIN L. and LINDA CRYMES,
EZELL and ALICE FOSTER, WILLIAM GARCIA,
CARMEN GARZA, HARRISON GIBBS,
BERTERESA HARRIS, TERRANCE HILL, CURTIS and
NETTIE HILL, SARA and MAURO JIMENEZ,
EMMA JOHNSON, FRANK KRESICH,
CHINITA LINDSAY, LORI LOCKLEAR,
MARITZA LOPEZ, WILLIAM LUCKETT,
ANGELA MCFERRIN, MARGO MORRIS,
DONALD MOSLEY, RAYMOND MOSLEY,
SANDRA MUNIZ-GARZA, MELISSA PETERSON,
NATALIE ROBINSON, JOSE and NATALIA SANCHEZ,
MADELEINE A.P. SPANN, JOHN and DELPHINE
SULLIVAN, MICHEAL TRAMBLES and
CHANTHINI FOWLER, BERNICE VICTOR,
DWAYNE WASHINGTON, ISAAC WASHINGTON,
JACQUELINE WASHINGTON-BROWN,
SARAH WILLIS, and BETTY ZIC

By: /s/ David J. Chizewer
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Pro Bono Counsel for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on March 9, 2018, he caused a true and correct copy of **PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE** to be served via the Court's ECF/electronic mailing system and/or email upon all counsel of record.

/s/ David J. Chizewer _____